

JAMES P. HAO  
 ANTHONY C. MURABITO  
 JOHN P. WAGNER, JR.  
 GLENN D. BARNES  
 MATTHEW J. BLECHER  
 THOMAS M. CATALE  
 JOSE S. GARCIA  
 ERIC J. GASH  
 LAWRENCE R. GOERKE  
 MICHAEL R. HARDAWAY  
 LIN C. HSU  
 RAMBOD NADER  
 RONALD M. POMERENKE  
 REGINALD A. RATLIFF  
 'OHN F. RYAN

CHERYL A. EICHSTAEDT\*  
 M. DEAN MATTHEWS\*  
 JOEL D. YOUNGS\*  
 WILLIAM A. ZARBIS\*  
 DAVID A. GREWER\*\*  
 NEAL A. OSBORN\*\*  
 DAVID J. REIMLER\*\*  
 CAROLINE W. SMITH\*\*  
 ARTHUR M. TONSAGER, III\*\*  
 \* PATENT AGENT  
 \*\*PATENT ENGINEER

**WAGNER**  
**MURABITO**  
**& HAO LLP**  
 PATENT ATTORNEYS

**RECEIVED**  
**CENTRAL FAX CENTER**  
**JUL 14 2005**

TWO NORTH MARKET STREET  
 THIRD FLOOR  
 SAN JOSE, CALIFORNIA 95113  
 TELEPHONE: (408) 938-9060  
 FACSIMILE: (408) 938-9069  
[www.wmhpatents.com](http://www.wmhpatents.com)

### FAX COVER SHEET

SEND TO: USPTO

COMPANY NAME:

FAX NUMBER: 703-872-9306

TRANSMISSION DATE: 7/14/05 FILE REF: TLMF-99-001.2

FROM: Jose S. Garcia Reg # 43,628

PAGE NUMBERS (including this sheet): 43

OPERATOR:

NOTES: Request to Accept A duplicate of a  
 Reply when Original not received by the USPTO  
 Pursuant to 37 CFR § 1.8(b)

If there should be a problem with the quality of this transmission or you do not receive all of the pages, please call the operator named above at (408) 938-9060.

**RECEIVED**  
**OIP/EAP**

**JUL 15 2005**

### **CONFIDENTIALITY NOTICE**

This FACSIMILE transmission is intended only for the use of the individual or entity named above and may contain information that is confidential, attorney-client privileged and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, reproduction, distribution or use of any of the information contained in this transmission is strictly PROHIBITED by law. If you have received this transmission in error, please immediately notify us by telephone and we will arrange the return of the original transmission to us at no expense to you. Thank you.

RECEIVED  
CENTRAL FAX CENTER  
JUL 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Partovi et al.

Serial No. : 09/466,236

Group Art Unit: 3625

Filed : 12/17/1999

Examiner: POND, R.

For : METHOD AND APPARATUS FOR ELECTRONIC COMMERCE  
USING A TELEPHONE INTERFACE

REQUEST TO ACCEPT A DUPLICATE OF A REPLY WHEN ORIGINAL NOT  
RECEIVED BY THE USPTO PERSUANT TO 37 C.F.R. SECTION 1.8(b)

Commissioner for Patents  
P.O Box 1450  
Alexandria, VA 22313-1450

Sir:

1. In response to the Office Action mailed 1/12/2005, an Amendment and Response document was mailed on 6/13/2005 with a certificate of mailing under 37 C.F.R. Section 1.8(a) signed by patent attorney Jose S. Garcia, Reg. #43,628 and a request for a two-month extension. An inquiry was made with Examiner Pond as to the status of the patent application. It was determined that the Amendment and Response document mailed on 6/13/2005 had not been received.

2. Herein, the USPTO is informed that the Amendment and Response document was mailed on 6/13/2005 with a certificate of mailing under 37 C.F.R.

TLME-99-001.2/ACM/JSG  
Serial No. 09/466,236

Page 1

Examiner: POND, R.  
Group Art Unit: 3625

Section 1.8(a) signed by patent attorney Jose S. Garcia, Reg. #43,628 and a request for a two-month extension.

3. Herein, a duplicate copy of the Amendment and Response document and certificate of mailing, which were previously mailed, are submitted.
4. I, Jose S. Garcia, personally mailed the Amendment and Response document to the USPTO on 6/13/2005, the date of the certificate of mailing.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

Dated: 7/14/2005

Jose S. Garcia

Jose S. Garcia  
Registration No. 43,628

Two North Market Street, Third Floor  
San Jose, CA 95113  
(408) 938-9060

Amendment Transmittal  
Applicant: **Partovi et al.** Filing Date: **12/17/99**  
Docket No.: **TIME-99-001.2-US** Application No.: **09/466,236**  
Confirmation No.: **9914**  
Title: **METHOD AND APPARATUS FOR ELECTRONIC COMMERCE**  
USING A TELEPHONE INTERFACE

Sir:

Please acknowledge receipt of the following:

Amendment Transmittal (2 sheets + copy)  
 Certificate of Mailing (listed on Transmittal)  
 Ext. of Time (listed on Transmittal)  
 Deposit Account Authorization (listed on Transmittal)  
 Amendment (No. pgs 37)

submitted 6/13/2005

Attorney Docket No.: TLME-99-001.2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.			
Date of Deposit:	06/13/05	Name of Person Making the Deposit:	JOSE S. GARCIA
		Signature of the Person Making the Deposit:	Jose S. Garcia

**In re Application of:** Hadi Partovi, Roderick Steven Brathwaite, Angus MacDonald Davis, Michael S. McCue, Brandon William Porter, John Giannandrea, Eckart Walther, Eugene Koh and Andy Scott

Application No.: 09/466,236

Examiner: Pond, Robert M.

Filed: 12/17/99

Art Unit: 3625

Confirmation No.: 9914

For: METHOD AND APPARATUS FOR ELECTRONIC COMMERCE USING A TELEPHONE INTERFACE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application

Transmitted herewith is a response to an office action for the above identified patent application.  
 ( 37 sheets)

Transmitted herewith are \_\_\_\_\_ sheets of substitute formal drawings.  
 Other:

2. Applicant is other than a small entity

**Extension of Term**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.138 apply.

(a)  Applicant petitions for an extension of time under 37 C.F.R. 1.138  
 (fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below.)

<u>Extension</u>	<u>Fee</u>
[ ] one month	\$120.00
[ X ] two months	\$450.00
[ ] three months	\$1,020.00
[ ] four months	\$1,590.00

**Fee \$ 450.00**

If an additional extension of time is required, please consider this a petition therefor.

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

07/15/2005 AAD0F01 00000027 230085 05-06236  
 01 FC:1252 450.00 DA

1 of 2

rev. 11/98 kgr

Attorney Docket No.: TLME-99-001.2

**Fee Calculation**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(For other than a small entity)					
Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra Claims	Fee Rate	Total
Total Claims	53	- 53 =	0	x \$50.00	\$0.00
Independent Claims	8	- 8 =	0	x \$200.00	\$0.00
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$260.00	\$0.00
<b>Total Fees</b>					<b>\$0.00</b>

**PAYMENT OF FEES**

5. The full fee due in connection with this communication is provided as follows:

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 23-0085. A duplicate copy of this authorization is enclosed.

A check in the amount of \$

Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 23-0085.

Please direct all correspondence concerning the above-identified application to the following address:

WAGNER, MURABITO & HAO LLP  
 Two North Market Street, Third Floor  
 San Jose, California 95113  
 (408) 938-9060  
 Customer Number: 45588

Respectfully submitted,

Date: 6/13/2005

By: Jose S. Garcia  
 Jose S. Garcia  
 Reg. No. 43,628